

interpretation

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HISTORICISM AND STATESMANSHIP IN THE REFORM ARGUMENT OF WOODROW WILSON

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The dominant paradigm for reforming the American Constitution has been the “party government” school inaugurated by Woodrow Wilson, the political scientist. From his *Congressional Government* to the 1937 Report of the President’s Committee on Administrative Management to the ill-fated 1950 APSA report, *Toward a More Responsible Two Party System*, to the works of Burns, Bailey, Schattschneider, and, most recently, Hardin (to name only a few), a reform tradition with a vast literature has developed within the discipline. Yet in all the literature both pro and con on the reform argument, almost no attention has been given to the standards or principles that led Wilson — and still lead his progeny — to propose constitutional reform. If those standards are problematic, action upon the reform argument could lead us to deform rather than to reform (make better) our constitutional order. This essay articulates Wilson’s reform argument, elucidates his standards, and reflects upon the adequacy of the reform prescription.

I

In opening *Congressional Government*, Wilson argues that the Constitution of 1787, “is now our *form of government* rather in name than in reality.” In form we have a government characterized by separation of powers and a system of checks and balances; in reality “our present government is simply a scheme of congressional supremacy.” The gap between form and reality is due to the operation of a “universal principle of institutional change.”¹ It is the defect of the political science of his day, Wilson continues, that it fails to see American government in light of this universal principle and to take its bearings from what change reveals. “Dominated . . . by those incomparable papers of the ‘Federalist,’” political science takes its bearings from the forms of the Constitution, “thereby obscuring much of that development of constitutional practice which has since taken place.”² The “fundamental law” of 1787 is now only “literary theory.” The “living reality”

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¹Woodrow Wilson, *Congressional Government* (Cleveland and New York: World Publishing, 1956), p. 28.

²Wilson, *Congressional Government*, p. 30.

is “the Constitution in operation.” Wilson thus announces his intention to observe the dominant facts and “phases” of American government in the light of a strict realism — “to escape from theories and attach himself to facts.”³

Observing the facts, Wilson finds that the center and source of all power is Congress. The constitutional balances of federalism and separation of powers have all but disappeared. The nation is supreme over the states, and Congress supreme over the President and Court. In fact, we have congressional government. But this fact is not to be understood as a temporary phenomenon. The growth of nationalism and congressional ascendancy over the executive and judiciary are both seen as a stage in the progressive evolution of American government. Thus Wilson does not escape from theory. Rather, he substitutes another theory for the one he rejects. To comprehend this more clearly, we must consider Wilson’s historicism.

In reading world history, Wilson sees a broad evolutionary progress of growth from the autocratic regimes of the past to the democratic regimes of the present and future. From stage to stage there is a gradual awakening of the mass of the people. From undisputed autocratic rule there develops a public opinion that gradually asserts itself to the point where the people choose their own leaders and thus achieve self-government.⁴ But democracy is not so much the result of conscious statesmanship as it is a product of historical forces that gradually bring a people to maturity. Of American democracy, he says:

It was not created by mere aspirations or by new faith; it was built up by slow custom. Its process was experience; its basis old wont, its meaning national organic oneness and effective life. It came, like manhood, as the fruit of youth. An immature people could not have had it, and the maturity to which it was vouchsafed was the maturity of freedom and self-control. Such government as ours is a form of conduct, and its only stable foundation is character.⁵

Wilson goes on to emphasize the long training period required for national self-direction and the virtues that genuine popular government presuppose: “adult self-reliance, self-knowledge and self-control.”⁶

In light of his view that democracy is a product of history rather than conscious statesmanship, it is easy to see why Wilson regards American democracy as “the natural growth of transplanted English politics.”⁷ Our history is but an

³Wilson, *Congressional Government*.

⁴Woodrow Wilson, *Constitutional Government in the United States* (New York: Columbia University Press, 1908), p. 28; Woodrow Wilson, “The Study of Administration,” *Political Science Quarterly*, 55 (December 1941), 488.

⁵Woodrow Wilson, “Character of Democracy in the United States,” in *An Old Master and Other Political Essays* (New York: Charles Scribners’ Sons, 1893), p. 116. See also Wilson, *Constitutional Government*, p. 52.

⁶Wilson, “Character,” p. 117.

⁷Woodrow Wilson, “The Modern Democratic State,” in *The Papers of Woodrow Wilson*, 17 vols., ed. Arthur S. Link (Princeton, N.J.: Princeton Univ. Press, 1966-75), V, 67.

extension of English history, our government “an adaptation of English constitutional government.”⁸ A “truly organic growth,” America “began, not by carrying out any theory, but by simply carrying out a history – inventing nothing, only establishing a specialized species of English government.”⁹ The importance of this viewpoint is brought home to us in the reform argument. British history and politics serve as the standard for reform. Whereas the Constitution was an improvement over the British government of George III, “the perfected party government” of turn-of-the-century Britain is our destiny.

What this means is clarified by Wilson’s consideration of the evolution of the conditions of public life in America. It is an evolution from an age of politics to an age of administration. There are four stages of national growth. First is the period of the founding: “the questions which faced our statesmen while the Constitution was a-making were in the broadest sense questions of politics.”¹⁰ Second, with the establishment of the Constitution, questions of politics become transformed into questions of law. The third, and in a sense decisive, stage is the period of abolitionist agitation and Civil War. The aim of the abolitionists “was essentially revolutionary”; it “was to change not to vindicate the Constitution.” This stage begins with the Jacksonian period in which the aristocratic democracy of the Federalist-Jefferson era gives way to the rule of the common man. By the post-Civil War period, full-fledged popular government is a fact and congressional government an expression of it.¹¹ Wilson understands the Civil War as the completion of the political and legal stages of growth. The Union is not only preserved, it is reborn: “we have become in the fullest organic sense a nation.”¹²

Arriving at the fourth stage, Wilson sees the fundamental constitutional-political questions all but settled: “we are left to that unexciting but none the less capitally important business of everyday peaceful development and judicious administration to whose execution every nation in its middle age has to address itself. . . .”¹³ In delineating these four stages of historical development in the United States, Wilson makes clear that each age has its characteristic questions and that with the progressive settling of those questions we have reached the dawn of the age of administration. The Constitution belongs to the age of politics, an age in which the essential principles of democracy – liberty and equality – were not yet settled. For example, separation of powers was necessary to preserve liberty and to check the whims of the majority. But now that popular government has been

⁸Woodrow Wilson, “Review of Green’s *A History of the English People*,” in *The Papers of Woodrow Wilson*, I, 374-75; “Character,” p. 104; *Constitutional Government*, p. 42.

⁹Wilson, “Character,” pp. 115, 105.

¹⁰Wilson, *Congressional Government*, pp. 136-37.

¹¹Woodrow Wilson, *A History of the American People*, 5 vols. (New York and London: Harper & Brothers, 1902), III, IV.

¹²Woodrow Wilson, “Meaning of the Union,” in *The Public Papers of Woodrow Wilson*, 6 vols., ed. by R. S. Baker and W. E. Dodd (New York and London: Harper & Brothers, 1925-27), III, 336; Woodrow Wilson, *The State* (Boston: D. C. Heath, 1890), p. 480.

¹³Wilson, *Congressional Government*, p. 141.

established not only in principle but in fact, separation of powers is a harmful anachronism that obscures responsibility and excludes efficiency.¹⁴ Thus, while the forms of the Constitution remain, they no longer reflect the reality of our political life. The need now is a form of government appropriate to the altered conditions and questions of a new age, the age of administration.

We see in Wilson that the age of administration is the age of democracy, of full-fledged popular sovereignty. With popular sovereignty fully self-conscious, there is a new and widened conception of state duty that emphasizes positive government responsibility for the social and economic welfare of the people. This in turn brings about a greater need for good administration for the implementation of the popular will. Concretely, Wilson is speaking of the effects of the industrial revolution in America and the reaction to *laissez-faire*. The questions of the age of administration are fundamentally economic questions: the complexities of commerce and trade, national debts, regulation of monopolistic corporations, and resolving the discord between capital and labor.¹⁵

In order that America be equipped for carrying the enormous burdens of the age of administration, reform is necessary. But the achievement of good administration under the conditions of popular sovereignty is problematic. As Wilson poses the problem:

It is harder for democracy to organize administration than for monarchy. The very completeness of our most cherished political successes in the past embarrasses us. We have enthroned public opinion; and it is forbidden us to hope during its reign for any quick schooling of the sovereign in executive expertness or in the conditions of perfect functional balance in government. The very fact that we have realized popular rule in its fulness has made the task of *organizing* that rule just so much the more difficult.¹⁶

Our constitutional health, it appears, is an obstacle to our administrative health. Our great advantages in achieving the principles of liberty and equality are the source of our disadvantages in attaining good administration. Yet if the march of history toward "popular rule in its fulness" is now realized, the essential principles all but finally settled, on the basis of what principles can the obstacle of popular sovereignty be overcome? That is, if there is a conflict between popular rule and the organization of popular rule, and if the will of the people is rightfully sovereign, on what grounds can that will be rightfully qualified? Wilson's reform appears to rest, at bottom, on implementing the principles of the science of administration. The concrete difficulties to which this enterprise is exposed will become apparent.

As Wilson understands the government constructed by the Founding Fathers embodied in the Constitution, it is a static Newtonian mechanism, the parts of

¹⁴Woodrow Wilson, "The Art of Governing," in *The Papers of Woodrow Wilson*, V, 51-52.

¹⁵Wilson, "The Study," pp. 483-85.

¹⁶Wilson, "The Study," p. 491.

which are so balanced against each other that it cannot act. In the age of administration, we follow not Newton but Darwin. "Governments," Wilson declares, "are living things and must operate as organic wholes" for "no living thing can have its organs offset against each other as checks and live." Rather, "its life is dependent upon their quick cooperation, their ready response to the commands of instinct or intelligence, their amicable community of purpose."¹⁷ In *The New Freedom*, under the heading, "What is Progress," Wilson speaks of systematizing the foundations of our polity to achieve "a single community, cooperative as in a perfected, coordinated beehive."¹⁸ Now "the whole art of statesmanship is the art of bringing the several parts of government into effective cooperation for the accomplishment of particular common objects."¹⁹ Statesmanship, then, appears to be essentially management, but management understood in the light of "administration philosophically viewed," that is, an ideal of unity that embodies "the lasting maxims of political wisdom, the permanent truths of political progress."²⁰

From the vantage point of "administration philosophically viewed," the problem of popular government becomes that of establishing institutional arrangements affording an unhampered expression and an unhampered implementation of the popular will. The two key concepts of the reform argument are, correspondingly, responsibility and efficiency. They are, as Wilson understands them, not in conflict but rather two sides of the same coin. Judging congressional government or the "constitution in operation" in the 1880s, Wilson finds it to be both irresponsible and inefficient.

Congress is irresponsible because it is leaderless, and it is leaderless due to the continuing influence of separation of powers. Because power is still formally divided among the three branches, Congress is isolated, lacking the leadership that, under favorable conditions, the executive might provide. Our party system, organized on the basis of the "old" constitutional system, prevents the leadership that might emerge within Congress. As things stand, Congress has a multiple and fragmented leadership consisting of the chairmen of the standing committees who, in the absence of party discipline, act independently of each other and without common purpose. As a result of conducting its business by structured disintegration — the committee system provided by the rules — Congress is too complex for public understanding. Without "a few authoritative leaders" who could represent it to the nation, it is impossible for the people to follow the legislative process.²¹ Being unable to understand what Congress is doing, the people have difficulty in holding it accountable because they do not know where to place either praise or blame. The worst result of this "committee government," according to Wilson, is that it prevents debate of legislation by either house as a whole. Such debate is

¹⁷Wilson, *Constitutional Government*, pp. 54-56.

¹⁸Woodrow Wilson, *The New Freedom* (Englewood Cliffs, N.J.: Prentice-Hall, 1961), p. 44.

¹⁹Wilson, *Constitutional Government*, p. 54.

²⁰Wilson, "The Study," pp. 493-94, 497.

²¹Wilson, *Congressional Government*, p. 57.

essential to inform and educate public opinion. Without the knowledge that such debate imparts, the people cannot act wisely in holding government responsible. Debate of a sort does take place within the secrecy of committee meetings, but it informs only Congress, not the people. Moreover, it is not truly debate in Wilson's sense of educational oratory. It is a "joust" of interests, not a contest of principles. Truly enlightening debate only issues from a contest of principles, and, furthermore, if the public is to pay attention, it must be a debate between party leaders with party fortunes at stake. In sum, says Wilson, "the more power is divided, the more irresponsible it becomes. . . . It is ever the little foxes that spoil the grapes."²² Stated positively, power concentrated is power "easily watched and brought to book."²³

Congress is inefficient for the same reason that it is irresponsible: its lack of concentrated or unified leadership. Because of this, "the little foxes" are unable to act in concert with common purpose and the result is legislation that is "foolish in pieces and wise in spots." Government lacks a coherent consistent public policy (for example, the New Freedom). Leadership is needed to manage or give efficiency to our system of legislation. Efficiency is related to responsibility here because it "is the only just foundation for confidence in a public officer."²⁴ Leadership is equally necessary to supply power to Congress to direct administration. As things stand, congressional oversight of administration is thoroughly frustrated by separation of powers. Furthermore, the shortness of the terms of office obstruct the efficient management of both legislation and administration. In sum, government "lacks strength because its powers are divided, lacks promptness because its authorities are multiplied, lacks wieldiness because its processes are roundabout, lacks efficiency because its responsibility is indistinct and its action without competent direction."²⁵

Perhaps Wilson's ultimate criticism of congressional government hampered by the forms of the Constitution may be found in the complaint that "the forms of government in this country have always been unfavorable to the easy elevation of talent to a station of paramount authority."²⁶ By dividing power as it does, the Constitution creates offices that are not sufficiently attractive to the best men, the men of great ability. The prime ministership of a ruling party "is in a free government the *only* prize that will attract great competitors."²⁷ Wilson understands accession to leadership to be a process of self-selection where the best men rise to the top through becoming authoritative spokesmen for their political parties, or orator-statesmen.

By so concentrating power in the party leadership — the prime minister and

²²Wilson, *Congressional Government*, p. 77.

²³Wilson, "The Study," p. 497-98.

²⁴Wilson, *Congressional Government*, pp. 89, 171.

²⁵Wilson, *Congressional Government*, p. 206.

²⁶Wilson, *Congressional Government*, p. 141.

²⁷Wilson, *Congressional Government*, p. 147.

cabinet — Wilson is very much aware that he departs fundamentally from the teaching of the Founding Fathers. He agrees with Walter Bagehot that “they shrank from placing sovereign power anywhere. They feared that it would generate tyranny.”²⁸ For Wilson, power is not to be feared as long as it is kept responsible. His motto is: “*Power and strict accountability for its use* are the essential constituents of good government.”²⁹ Indeed, as we have seen, power concentrated “in a single hand” is by that concentration made responsible because it is easily watched by the people. Dividing power produces irresponsibility and risks the very paralysis of government. Furthermore, says Wilson of the wielder of great power, “the greater his power, the less likely is he to abuse it, the more is he nerved and sobered and elevated by it.”³⁰ Power elevates the character of the officeholder by subjecting him “to the *purifying* influence of centered responsibility.”³¹

Wilson would change the American form of government through either constitutional or extra-constitutional reforms. Both have the objective of gaining an organic form of government characterized by the principles of good administration: unity, efficient management and organization, duration of tenure, and competence. Wilson’s proposed constitutional amendments — uniform tenure for the President, Senate, and House, and giving cabinet members seats in Congress — are for the purpose of achieving that “perfected party government” he saw exemplified by the British system.³² He would replace our constituency-oriented — and thus decentralized, undisciplined, and moderate — parties (what Morton Grodzins calls “anti-parties”) with leader-oriented centralized, disciplined, and ideological parties. The effect would be to overcome the constitutional system of separation of powers and checks and balances or to install a cabinet government.

Wilson also proposes reform of the administrative system, taking it above and beyond the moral reform of the civil service reform movement (Pendleton Act, 1883). He would replace the fragmented “multiple crack” administrative system open to popular interference at all levels with an isolated, efficient civil service modeled on the Prussian bureaucracy under Baron von Stein. The rationale for reform is Wilson’s famous distinction between politics and administration. Administrative questions differ intrinsically from political questions. Whereas the people are competent to decide questions of ends or broad policy, they are “a clumsy nuisance, a rustic handling delicate machinery,” when it comes to handling scientific questions of administration or means.³³ The aim is efficient implementation of the popular will, an aim frustrated by popular interference in administration.

²⁸Wilson, *Congressional Government*, p. 202.

²⁹Wilson, *Congressional Government*, p. 187 (Wilson’s italics).

³⁰Wilson, “The Study,” p. 498.

³¹Wilson, “Character,” p. 134 (my italics).

³²Woodrow Wilson, “Cabinet Government in the United States,” in *The Papers of Woodrow Wilson*, I, 493-510.

³³Wilson, “The Study,” p. 499.

Herbert Storing has aptly characterized Wilson's proposed reform as a "two pyramid" model.³⁴ At the base of both pyramids is the body of the people. The will of the majority is gathered up by the majority political party. At the top of the pyramid of politics the will of the majority is formulated into broad policy and, after debate in the legislative assembly, made law. Law is then introduced into the top of the pyramid of administration where it is efficiently and economically implemented by neutral, scientifically trained technicians. This "input-output" model is completely majoritarian in character. There is the faith that once government is simplified and its power concentrated, its responsibility to the people is unproblematic. There are no structural checks by which either the expression or the implementation of the majority will is hampered. Thus its animating principle is the doctrine of popular sovereignty, and its operative principles are the principles of administrative science.

II

It is now necessary to make some qualifications concerning Wilson's reform argument. In the first place, the argument is never carried to its full conclusion, and it abounds with contradictions. In *Congressional Government*, where the argument is most complete, we nevertheless find Wilson upholding bicameralism that he, like the Founding Fathers, understands as a variant of separation of powers. Of the Senate, he says, "it is valuable in our democracy in proportion as it is undemocratic." It "saves us often from headlong popular tyranny."³⁵ In *Constitutional Government*, his last book, the reform argument remains but is muted by his much clearer understanding and appreciation of the constitutional system. Whereas *Congressional Government* lacks a chapter on the judiciary, *Constitutional Government* has one that could have been written by the authors of the *Federalist*. There is also considerable ambiguity concerning federalism. In *Congressional Government*, it appears a casualty of the unifying centralizing forces of the historical process; in *Constitutional Government*, it is defended as essential to the preservation of individual liberty, which in turn is the key to democratic self-government. Liberty also is ambiguous. In "The Study of Administration," Wilson states that "liberty no more consists in easy functional movement than intelligence consists in the ease and vigor with which the limbs of a strong man move. The principles that rule within the man, or the constitution, are the vital springs of liberty. . . ." ³⁶ Yet in *Constitutional Government*, liberty is defined in terms of the adjustment of forces or "easy functional movement."³⁷ Liberty as

³⁴Herbert Storing, "Political Parties and the Bureaucracy," in *Political Parties U.S.A.*, ed. R. Goldman (Chicago: Rand McNally, 1963), pp. 143ff.

³⁵Wilson, *Congressional Government*, p. 154. But see also "Government by Debate," in *The Papers of Woodrow Wilson*, II, 206, where Wilson denounces the idea of "the tyranny of partisan majorities."

³⁶Wilson, "The Study," pp. 495-96.

³⁷Wilson, *Constitutional Government*, p. 5.

adjustment corresponds to Wilson's organic theory of politics, while liberty as self-reliant individualism is the source of that very friction or faction underlying the Madisonian view of American politics.

A second qualification concerns what would today be called the "elitist" character of Wilson's argument. It is more precise, I think, to speak in terms of his "aristocratic tendency." The kind of government he points us toward is an administrative state in service to popular feeling. Yet this is qualified by two things: his understanding of British government and his view of the character of the American people. In *Congressional Government*, Britain is described as "a republic steadied by a revered aristocracy and pivoted upon a stable throne." Indeed, in the next sentence he calls it a "limited monarchy."³⁸ Consider next his view of monarchy:

What is the valuable element in monarchy which causes men constantly to turn to it as to an *ideal form of government, could it but be kept pure and wise?* It is its cohesion, its readiness and power to act, its abounding loyalty to certain concrete things, to certain visible persons, its concerted organization, its perfect model of progressive order. Democracy abounds with vitality; but how shall it combine with its other elements of life and strength this power of the governments that know their own minds and their own aims?³⁹

The administrative excellence of monarchy appears to be its leading recommendation. The problem is how to combine it with democratic vitality. But there is more that needs to be taken into account. The leading theme of Wilson's reform writings is our need for statesmanship. He envisions above all a form of government that will provide scope for statesmanship and provide the milieu for that self-selection of the best men to a position of paramount authority. The best political order is one that permits the rule of the best men. As regards the role of leadership and representation in a democracy, he says of its leaders:

If they merely register the impulses, the unmeasured judgments of the people, they are mere automata and can serve no healthful purpose. They must choose. They must judge. They must guide. No democracy can live without a leisured class capable of thinking on the problems of government and in a position to think upon them in the light of the most catholic learning: nor can it thrive without giving to the thoughts of such a class weight in the actual conduct of affairs.⁴⁰

He then goes on to argue that leaders must have the power of tenure "to resist all hasty public judgments" but not the opportunity to disobey "long, final public judgments." This reminds us of Hamilton's distinction between the people's needs and their inclinations.

This emphasis on the rule of the best men is paralleled by Wilson's doubts

³⁸Wilson, *Congressional Government*, p. 154.

³⁹Wilson, "Character," pp. 136-37 (my italics).

⁴⁰Wilson, "The Modern Democratic State," V, 85-86.

concerning the wisdom of the average citizen. While democracy is described as the best regime (which must in Wilson be distinguished from the best form of government) because it is the freest regime, and the freest due to progress in the moral character of mankind, there is also, throughout his writings, a more realistic assessment. In "The Study of Administration," indeed, the very notion of progress in virtue is called into question. He argues that "in government, as in virtue, the hardest of hard things is to make progress." In the past, the monarch "was generally either selfish, ignorant, timid or a fool." At present, the people "are selfish, ignorant, timid, stubborn, or foolish." "The bulk of mankind," he continues, "is rigidly unphilosophical, and nowadays the bulk of mankind votes."⁴¹ This explains Wilson's constant stress on the need of the people for political education. In sum, the prime minister, or prime-minister president, in Wilson's reform model is not simply the agent of the popular will. By ruling in conformity to the people's highest aspirations, the leader aims at achieving public trust. Gaining the trust of the country, "he can not only lead it but form it to his own views."⁴²

Still, for all these qualifications, the central problem of Wilson's reform remains. He would simplify government to make it accountable to the people on the grounds of popular sovereignty. Yet he would also reorganize popular rule to make democracy energetic and efficient on the basis of the principles of administrative science. Are the principles of popular government compatible with the principles of good administration? Wilson faces this problem in his celebrated essay, "The Study of Administration." As he states it, "the problem is to make public opinion efficient without suffering it to be meddling."⁴³

The whole thrust of Wilson's reform is to make public opinion efficient. Because separation of powers, for reasons already stated, obscures what government is doing, the sovereign people naturally distrust it. The stated purpose of reform is thus "to create conditions of trustfulness" by "the unmistakable placing of responsibility."⁴⁴ This is achieved by simplifying government through concentration of all power in a single hand that can be easily watched. Public opinion is thus made efficient. It can know what is going on and punish its servant for wrongdoing. Having concentrated power in a single hand, however, Wilson next argues that it should have "large powers and unhampered discretion" in administration. The role of public opinion is to be that of "authoritative critic," controlling government at the ballot box but not interfering in its conduct. The people are told, concerning their liberty, that "self government does not consist in having a hand in everything" and that their political education should come before their political activity.⁴⁵ In a word, Wilson presents us with a paradox: reform is undertaken to enable the sovereign people better to control their government, yet the scope of control is considerably narrowed from what it was before reform.

⁴¹Wilson, "The Study," pp. 492-93.

⁴²Wilson, *Constitutional Government*, p. 68.

⁴³Wilson, "The Study," p. 499.

⁴⁴Wilson, "The Study," p. 497.

⁴⁵Wilson, "The Study," pp. 498-99.

The problem emerges. On the one hand, Wilson reforms government to make it more accountable to public opinion. On the other hand, he would make the administration of government independent of public opinion. Administration requires such independence in order to carry out the popular will efficiently. However, to make American public opinion efficient is problematic. American public opinion, according to Wilson, is free and undisciplined. To make such a public opinion efficient is not only to increase opportunity to control government but also to increase opportunities to meddle with it, completely undermining the conditions necessary for good administration. Thus, in order to provide the independence for good administration in the United States, it is necessary to introduce restraints on public opinion. But within Wilson's framework of simple popular sovereignty, there are no grounds for doing so.

As already indicated, Wilson's rationale for limiting popular interference in public administration is the distinction between politics and administration. "Administrative questions are not political questions" but technical questions.⁴⁶ Administration is thus politically neutral, a separable "apparatus" instrumental to politics. But if administration is conceived as purely instrumental to popular will, how can its neutrality or independence from popular will be justified? Wilson recognizes the problem of a hierarchical, disciplined administrative organization "with sympathies divorced from those of a progressive free spirited people," but he argues that it will be responsible to the "policy" of the government. However, on the principle that "although politics sets the tasks for administration, it should not be suffered to manipulate its offices," Wilson erects an autonomous civil service responsible to no one in particular.⁴⁷ Ironically then, Wilson establishes the basis for a new separation of powers, one between the pyramid of politics and the pyramid of administration.

Wilson pays allegiance to two sets of principles, the principles of popular sovereignty and the principles of good administration. His aim is not to sacrifice popular rule and individual liberty to good administration. Rather, it is to maintain popular rule and individual liberty while gaining good administration. His problem is that he takes the principles of popular rule and individual liberty as historically fixed or guaranteed. The age of politics is over. *In this light*, the problem is to organize popular rule so as to secure the unhampered expression and implementation of the sovereign will. But just here, we have seen, an element foreign to the equation interposes itself: the *quality* of popular will. To secure the unhampered expression of popular will is to create conditions that, taking account of the free and undisciplined character of the American people, undermine the requirements for efficiently implementing popular will. They are conditions that promise to increase rather than decrease popular "meddling."

Thus Wilson faces a conflict between political principles — those of monarchy and democracy — that his political theory takes as finally settled. Early in "The Study of Administration," Wilson indicates that the "high warfare" of political

⁴⁶Wilson, "The Study," p. 494.

⁴⁷Wilson, "The Study," pp. 494, 499-501.

principles is all but over. By the end of the essay, however, it is clear that the war is still on. The age of administration reveals itself as an age of politics.

Reflecting on Wilson's reform argument as a whole, it seems clear that his aim is to elevate the American achievement of freedom by infusing it with aristocratic excellence. Yet his political science or political theory provides him with no standard for doing so. Rather, it leads him to view the administration of government as a purely instrumental thing for the enactment of popular will. Within such a framework, excellence is transformed or reduced to administrative efficiency. Since efficiency is ultimately grounded in the will of the sovereign, there is no ground for qualifying popular sovereignty by good administration. In a word, Wilsonian statesmanship fails to transcend management. As he once said, the running is determined: we must gain knowledge of what is going forward. This, of course, reduces statesmanship to riding the wave of the future, to calculated adaptation to forces considered beyond human control. Prudence, the defining virtue of statesmanship, is excluded. Rather than being the master art of the best possible, statesmanship is narrowed to management conceived as the handmaiden of history.

III

The question of the adequacy of Wilson's reform necessitates a full inquiry into the adequacy of our system of separation of powers and checks and balances. Such an inquiry cannot be undertaken here, but some basic questions can be raised. Can government be kept responsible to the people by a simple dependence on the people? While admitting that "a dependence on the people is no doubt the primary control on the government," James Madison argued that auxiliary precautions were necessary.⁴⁸ Separation of powers, viewed as an invention of prudence, created internal checks on the use and abuse of governmental powers. Whereas Wilson believed that the debate engendered by a system of cabinet government would enlighten popular choice and stimulate constant vigilance, the founders were not so sanguine. A large populace fragmented into a multiplicity and variety of interests could not, they believed, be actively sovereign in the manner of Wilson's expectations. Indeed, the natural tendency of the people would be to subordinate the public interest to private interests. Consequently, they need the help that separation of powers supplies in holding government responsible.

Further, the founders feared not only governmental tyranny but also popular tyranny. A secondary aim of separation of powers, supportive of the coalition majority (*Federalist* no. 10), is to retard such tyranny. While Wilson recognizes the danger of popular tyranny, his proposed reform is completely majoritarian. His doctrine of popular sovereignty as historically inevitable rules out the very question of majority tyranny.

Wilson's analysis, focusing on the structure of separation of powers, con-

⁴⁸*Federalist* no. 51; see also the argument of *Federalist* no. 49.

cludes that the founders were so fearful of the abuse of power that they dangerously fragmented government, encouraging stalemate or what James McGregor Burns has called “the deadlock of democracy.” Yet, clearly, competent government was an aim of the founders.⁴⁹ But it had to be harmonized with what is required for the preservation of liberty in the context of majority rule. The founders’ answer to the incompetency experienced under the Articles of Confederation was essentially twofold: the creation of a basically national government with plenary power to accomplish its objects, and the creation of an independent and powerful presidency capable not only of checking the predominant legislature but, even more important, of supplying energetic leadership to the polity as a whole. In *Constitutional Government*, Wilson achieves an appreciation of the leadership potentialities of the presidency. Still he would recast the president as prime minister within the framework of cabinet government, raising again the question of responsibility.

It is man’s capacity for justice, Reinhold Niebuhr teaches, that makes democracy possible and man’s inclination to injustice that makes democracy necessary.⁵⁰ From this perspective, reform of American democracy must proceed from a balanced view of human nature. Awareness of man’s inclination to injustice will save us from the counsels of that destructive idealism that would establish heaven on earth. Awareness of man’s capacity for justice, on the other hand, will not allow us to despair from seeking an improved political order. Proceeding from the conclusion that Wilson himself never fully reached, we are led toward a political order that is potentially tyrannical. But proceeding from the tension between Wilson’s principles of efficiency and responsibility, we are led to a reconsideration of the founders’ politics of moderation.

⁴⁹See especially *Federalist* nos. 67-77.

⁵⁰Reinhold Niebuhr, *The Children of Light and the Children of Darkness* (New York, 1944), pp. x-xi. Niebuhr is speaking of democracy as that form created by the federalists. See also John Hallowell, *The Moral Foundations of Democracy* (Chicago: University of Chicago Press, 1954), pp. 125-29.